

RECEIVED
CENTRAL FAX CENTER

OCT 30 2006

Appln. No.: 09/838,147
Reply to Office Action of July 31, 2006

REMARKS/ARGUMENTS

The non-final Office Action of July 31, 2006, has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 36-41 are new. No new matter has been added. Claims 1-41 are pending.

Applicants note with appreciation the indication of the allowability of claims 19 and 35.

The Office Action rejects claims 1-3, 5-6, 9-10, 12, 16, 20-21, 24-25, and 28-31 under 35 U.S.C. § 102(e) as being anticipated by Youngs (U.S. Patent No. 6,600,918). This rejection is respectfully traversed.

The Office Action rejects independent claim 1 under 35 U.S.C. § 102(e) as being anticipated by Youngs. While the prior art of Youngs appears similar at first blush, Youngs merely describes a media program provider for sending transmissions to handsets. Youngs fails to teach or suggest the media program providers requesting resource information, receiving resource information, sending a selection input and negotiating a communication between the first and second mobile terminals responsive to the selection input. The Office Action continues to assert that handset 32f (FIGS. 2 and 3 of Youngs) is equivalent to a media program provider. However, Youngs fails to teach or suggest receiving a request from the handset 32f (as a "media program provider" according to the Office Action) for information relating to the resource and transporting the requested information to the handset 32f. The media program provider provides the program to the network and there would be no purpose in the media program provider requesting resource information or receiving the requested information responsive to the request. Based on these deficiencies of Youngs, withdrawal of the rejection is respectfully requested.

Claims 21 and 25 are similar to claim 1 and are allowable for at least the reasons set forth above for claim 1.

Claims 2, 3, 5, 6, 9, 10, 12, 16, 20, 24, and 28-31 depend from claim 1, 21, or 25 and are allowable for at least the reasons set forth above for claim 1, 21, or 25.

The Office Action rejects claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Youngs in view of Kotola (WO 98/11744). This rejection is respectfully traversed.

Appln. No.: 09/838,147
Reply to Office Action of July 31, 2006

Claim 4 depends from claim 1. As set forth above, Youngs fails to teach or suggest claim 1. Kotola fails to cure the deficits of Youngs with respect to claim 1. Therefore, the rejection should be withdrawn.

Furthermore, Kotola (page 2 line 23 through page 4 line 6) merely describes a method of accessing a data network in a digital mobile communication system providing short message service. In Kotola, a communication system is comprised of a mobile station, a short message service center, a communications network (e.g., the Internet), and World Wide Web (WWW) servers. The mobile station transfers a short message to a short message service centre having access to a communication network. A WWW server, in response, provides a return short message to the mobile station over the network. The mobile station displays the contents of the returned short message on its associated display. Kotola does not contemplate or suggest the claim 1 features of receiving a selection input from a first mobile terminal, negotiating a communication between the first and a second mobile terminal responsive to the selection input, and transferring resource related information from the first mobile terminal to the second mobile terminal over the communication connection. Assuming *arguendo* that the mobile station in Kotola serves as a first mobile terminal, the mobile station in Kotola does not attempt to transfer the contents of the returned short message (resource related information) to a second mobile station.

The Office Action rejects claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Youngs in view of Bridgman (U.S. Patent No. 6,523,062). This rejection is respectfully traversed.

Claim 11 depends from claim 1. As set forth above, Youngs fails to teach or suggest claim 1. Bridgman fails to cure the deficits of Youngs with respect to claim 1. Therefore, the rejection should be withdrawn.

The addition of Bridgman does not remedy the above-noted deficiencies of Youngs. Bridgman describes a method, system, and computer program for facilitating network delivery of Wireless Markup Language (WML) decks to memory constrained client devices using deck reduction techniques. A WML deck is a unit of transmission, as it comprises the information delivered to a client machine in response to a request for a particular URL (Bridgman, col. 2, lines 15-28). In Bridgman (col. 7 lines 34-44) a deck is processed based on the URL requested

Appln. No.: 09/838,147
Reply to Office Action of July 31, 2006

by a user at a client device. As such, Bridgman does not contemplate or suggest the features of receiving a selection input from a first mobile terminal, negotiating a communication between the first and a second mobile terminal responsive to the selection input, and transferring resource related information from the first mobile terminal to the second mobile terminal over the communication connection as recited in claim 1. Instead, Bridgman merely demonstrates a deck retrieval system wherein decks are processed based on a user request.

The Office Action rejects claims 7-8, 14-15, 22-23, 26-27, and 32 under 35 U.S.C. § 103(a) as being unpatentable over Youngs in view of Coan (U.S. Patent No. 6,584,321). This rejection is respectfully traversed.

Claims 7-8, 14-15, and 32 depend from claim 1. Claims 22-23 depend from claim 21. Claims 26-27 depend from claim 25. As set forth above, Youngs fails to teach or suggest claims 1, 21, or 25. Coan fails to cure the deficits of Youngs with respect to claims 1, 21 or 25. Therefore, the rejection should be withdrawn.

Furthermore, Coan demonstrates a method and apparatus for transmitting data to a wireless communications device over a selected bearer service. Coan does not contemplate or suggest the features of receiving a selection input from a first mobile terminal, negotiating a communication between the first and a second mobile terminal responsive to the selection input, and transferring resource related information from the first mobile terminal to the second mobile terminal over the communication connection as recited in claims 1, 21, and 25. Instead, in Coan (col. 5 line 65 – col. 6 line 15) a user receives a service message that contains a portion of overall service content. Having viewed the service message, the user has the option of generating a service request to retrieve additional service content. Coan fails to teach the transfer of service content (resource related information) from the user (first mobile terminal) to a second mobile terminal.

The Office Action rejects claims 17-18 under 35 U.S.C. § 103(a) as being unpatentable over Youngs, in view of the admission of prior art as recorded in the specification of the instant application. Claims 17-18, which ultimately depend on claim 1, are allowable for at least the foregoing reasons regarding claim 1 allowance.

Claim 34 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Youngs in view of Tayama (U.S. Patent No. 6,131,143). As set forth above, Youngs fails to teach or suggest

Appl. No.: 09/838,147
Reply to Office Action of July 31, 2006

claim 1. Tayama fails to cure the deficits of Youngs with respect to claim 1. Therefore, the rejection should be withdrawn.

Tayama describes a system in which a first terminal downloads data from a base station through a second terminal. Tayama does not contemplate or suggest the features of receiving a selection input from a first mobile terminal, negotiating a communication between the first and a second mobile terminal responsive to the selection input, and transferring resource related information from the first mobile terminal to the second mobile terminal over the communication connection as recited in claim 1. Instead, in Tayama (col. 4 lines 52-64) a first terminal (terminal A) issues a request to a second terminal (terminal B) to download data for the first terminal (terminal A) from a base station. The second terminal (terminal B) responds by attempting to relay signals between the first terminal (terminal A) and the corresponding base station to transfer the data. As such, in Tayama the second terminal (terminal B) is responsible for transferring the data to the first, requesting terminal (terminal A). The orientation of data flow is the reverse of the claim 1 feature. Claim 1 is distinct for at least this reason.

RECEIVED
CENTRAL FAX CENTER

OCT 30 2006

Appln. No.: 09/838,147
Reply to Office Action of July 31, 2006CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 30, 2006

By: /Ross Dannenberg/
Ross A. Dannenberg
Registration No. 49,0241001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001